

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tessa Yesselman	Team: Squad #12	CCRB Case #: 201603398	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 04/15/2016 11:10 PM	Location of Incident: Southbound Center Boulevard at 48th Avenue	Precinct: 108	18 Mo. SOL 10/15/2017	EO SOL 10/15/2017	
Date/Time CV Reported Wed, 04/20/2016 12:13 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 04/20/2016 12:13 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Caitlin Higgins	20538	952849	108 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Desirae Lafurno	16959	957981	108 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Caitlin Higgins	Abuse: PO Caitlin Higgins threatened to arrest § 87(2)(b)	
§ 87(4-b), § 87(2)(g)		

### Case Summary

§ 87(2)(b) filed this complaint with the Civilian Complaint Review Board via telephone on April 20, 2016. On April 15, 2016, § 87(2)(b) was given a summons for running a stop sign in the vicinity of Center Boulevard and 48<sup>th</sup> Avenue in Queens by PO Desirae LaFurno. PO Caitlin Higgins allegedly told § 87(2)(b) to “shut up,” and told § 87(2)(b) Giscbombe that if he did not stop talking he would be arrested (**Allegation A**).

A VTL summons for § 87(2)(b) was issued during the course of this incident (**02 Board Review**).

There is no video footage regarding this incident.

### Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- As of May 20, 2016, a FOIL request to the Office of the Comptroller is pending.
- § 87(2)(b)

### Civilian and Officer CCRB Histories

- PO Higgins has been a member of service for three years. This is the first CCRB complaint brought against her.
- This is the first CCRB complaint § 87(2)(b) has been party to (**06 Board Review**).

### Findings and Recommendations

#### Explanation of Subject Officer Identification

§ 87(2)(b)'s summons was written by PO LaFurno (**02 Board Review**). PO LaFurno stated that she had no verbal interaction with § 87(2)(b) and stood on the passenger side of § 87(2)(b)'s vehicle (**03 Board Review**). § 87(2)(b) stated that the officer who threatened to arrest him approached his driver side (**01 Board Review**). PO Higgins acknowledged approaching the driver side of § 87(2)(b)'s vehicle and having a conversation with § 87(2)(b) (**04 Board Review**). Thus, **Allegation A** has been pled against her.

#### Allegations not pleaded

- **Abuse of Authority:** § 87(2)(b) was issued a summons for § 87(2)(b) (**02 Board Review**). § 87(2)(b) denied § 87(2)(b). § 87(2)(g)

#### Allegation A –Abuse of Authority: PO Caitlin Higgins threatened to arrest § 87(2)(b)

§ 87(2)(b) stated that while attempting to explain to PO Higgins how he had not disobeyed the stop sign, that PO Higgins told him to “shut up” and told him that if he continued speaking he would be arrested (**01 Board Review**).

PO Higgins denied telling § 87(2)(b) to “shut up” and threatening to arrest § 87(2)(b). PO Higgins had no conversation with § 87(2)(b) about arresting him, and stated that § 87(2)(b)

§ 87(2)(b) was not exhibiting any behavior that would potentially warrant his arrest **(04 Board Review)**.

PO LaFurno did not hear PO Higgins threaten to arrest § 87(2)(b) PO LaFurno did not hear any conversation between PO Higgins and § 87(2)(b) **(03 Board Review)**.

§ 87(2)(g)  
[Redacted]  
[Redacted]

§ 87(4-b), § 87(2)(g)  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
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[Redacted]

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Squad:

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date